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**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

Esther Garcia ,)	Case No. 1:23-cv-01593-BAM
Plaintiff,)	STIPULATION AND PROPOSED
vs.)	ORDER FOR EXTENSION OF
)	TIME
Martin O'Malley, Commissioner of)	
Social Security ¹ ,)	
Defendant.)	

Pending the Court's approval, IT IS HEREBY STIPULATED, by and between the parties through their respective counsel of record, with the Court's approval, that Plaintiff shall have a 60-day extension of time, from February 12, 2024 to April 12, 2024, for Plaintiff to serve on defendant with PLAINTIFF'S

¹ Martin O'Malley became the Commissioner of Social Security on December 20, 2023. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Martin O'Malley should be substituted for Kilolo Kijakazi as the defendant in this suit. No further action need be taken to continue this suit by reason of the last sentence of section 205(g) of the Social Security Act, 42 U.S.C. § 405(g).

1 MOTION FOR SUMMARY JUDGMENT. All other dates in the Court's
2 Scheduling Order shall be extended accordingly.

3 This is Plaintiff's first request for an extension of time. Plaintiff respectfully
4 states that the requested extension is necessary due several merit briefs being due
5 on the same week. For the weeks of February 12, 2024 and February 19, 2024
6 Counsel has fourteen Merit briefs due. Counsel requires additional time to brief the
7 issues thoroughly for the Court's consideration. Defendant does not oppose the
8 requested extension. Counsel apologizes to the Defendant and Court for any
9 inconvenience this may cause.

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11 Respectfully submitted,

12 Dated: January 25, 2024

PENA & BROMBERG, ATTORNEYS AT LAW

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14 By: /s/ Jonathan Omar Pena
15 JONATHAN OMAR PENA
16 Attorneys for Plaintiff

17
18 Dated: January 25, 2024

PHILLIP A. TALBERT
United States Attorney
MATHEW W. PILE
Associate General Counsel
Office of Program Litigation
Social Security Administration

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24 By: */s/ Oscar Gonzalez de Llano
25 Oscar Gonzalez de Llano
26 Special Assistant United States Attorney
27 Attorneys for Defendant
28 (*As authorized by email on January 25, 2024)

ORDER

Pursuant to stipulation and good cause appearing, Plaintiff shall have a 60-day extension of time, from February 12, 2024, to **April 12, 2024**, to file and serve Defendant with PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT. All other dates in the Court's Scheduling Order shall be extended accordingly.

IT IS SO ORDERED.

Dated: January 26, 2024

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE